

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	PRELIMINARY ORDER OF
- v. -	:	FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
DARRELL SPENCER,	:	
	:	S4 22 Cr. 343 (JMF)
Defendant.	:	
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WHEREAS, on or about February 5, 2024, DARRELL SPENCER (the “Defendant”), was charged in a four-count Superseding Information, S4 22 Cr. 343 (JMF) (the “Information”), with *inter alia* conspiracy to commit racketeering, in violation of Title 18, United States Code, Section 1962(d) (Count One).

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 1963 of any interest acquired or maintained as a result of the offense alleged in Count One, any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise established, operated, controlled, conducted, or participated in the conduct of as a result of the offense alleged in Count One, and any property constituting, or derived from, any proceeds obtained, directly or indirectly, from the racketeering activity alleged in Count One;

WHEREAS, on or about February 5, 2024, the Defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations with respect to Count One of the Information and agreed to forfeit, pursuant to Title 18, United States Code, Section 1963, a sum of money equal to \$10,000 in United States currency, representing any and all property constituting, or derived from, proceeds

the Defendant obtained directly or indirectly as a result of the offenses charged in Count One of the Information;

WHEREAS, the Government seeks a money judgment in the amount of \$10,000 in United States currency, pursuant to Title 18, United States Code, Section 1963, representing the amount of proceeds traceable to the offenses charged in Count One of the Information that the Defendant personally obtained;

WHEREAS, the Court finds that as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence; and

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$10,000 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture / Money Judgment is final as to the Defendant, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the United States Marshals Service, and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn:

Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 18, United States Code, Section 1963(m), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

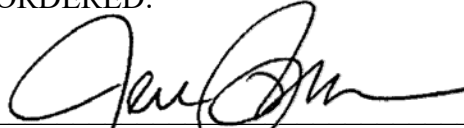
7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture as to Specific Property/Money Judgment to Assistant United States Attorney Tara M. La Morte, Co-Chief of the Money Laundering and Transnational Criminal

Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York  
10007.

Dated: New York, New York  
October 2, 2024

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', is written over a horizontal line.

THE HONORABLE JESSE M. FURMAN  
UNITED STATES DISTRICT JUDGE